IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

AND
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT APPEAL No.1743 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 06-08-2004 in W.P.No.13913 of 2004 on the file of the High Court.)

Between:

V.Satish, S/o.Soma Raju,
R/o.D.No.8-21-29, Pullavari Street,
Gandhi Nagar, Kakinada, East Godavari Dist.

..... APPELLANT

AND

1.The Prl.Secretary, Education Department, Secretariat, Hyderabad.
2.The Commissioner of College, Education, Andhra Pradesh, Hyderabad.
3.The Regional Joint Director, Education Department, Rajamundry, East Godavari Dist.
4.The Secretary and Correspondent, P.V.R.Trust Degree College, Kakinada, East Godavari Dist.

.....RESPONDENTS

Counsel for the Appellant: Mr.M.KONDAL RAO

Counsel for Respondent Nos.1 to 3: G.P. FOR HIGHER EDUCATION

Counsel for Respondent No.4 : None appeared.

The Court at the admission stage made the following :

ORAL JUDGMENT: (per the Hon'ble the Chief Justice)

Writ petition filed as public interest litigation was entertained by the learned single Judge and dismissed it on the ground that the petitioner has no *locus standi* to question the inaction on the part of the respondents.

We are of the view that the learned single Judge ought not to have entertained the writ petition and ought to have made it over to the Division Bench. Therefore, the order passed by the learned single Judge in the writ petition deserves to be set aside.

The Writ Appeal is accordingly allowed. The impugned order is set aside. The writ petition is directed to be heard by a Division Bench to be taken up as public interest litigation and to reconsider the writ petition.

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(DEVINDER GUPTA, C.J.)

23rd November 2004.

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(M. NARAYANA REDDY, J.)

ARS

To

1.The Prl.Secretary, Education Department, Secretariat, Hyderabad.
2.The Commissioner of College, Education, Andhra Pradesh, Hyderabad.
3.The Regional Joint Director, Education Department, Rajamundry, East Godavari Dist.
4. Two C.Cs to Govt. Pleader for Higher Education, High Court Bldgs., Hyderabad (OUT).

5. Two CD copies.